

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**  
**SAMUEL M. ROBERTS,**

Plaintiff,

-vs-

LOS ALAMOS NATIONAL SECURITY, LLC,  
AWE, PLC, and MASSACHUSETTS  
INSTITUTE OF TECHNOLOGY,

Defendants,

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AWE, PLC,

Third-Party Plaintiff,

-vs-

UNIVERSITY OF ROCHESTER,

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Third-Party Defendant.

**PLEASE TAKE NOTICE** that, upon the Declaration of Christine Tramontano sworn to on November 12, 2012, with exhibits, the Declaration of Dr. Colin J. Horsfield sworn to on November 6, 2012, and AWE, plc's Statement of Undisputed Material Facts pursuant to Local Civil Rule 56, Defendant/Third-Party Plaintiff AWE, plc hereby moves this Court before the Hon. David G. Larimer at the United States Courthouse located at 100 State Street, Rochester, New York, on a date and time to be determined by the Court, for an order pursuant to Fed. R. Civ. P. 56 granting summary judgment in favor of AWE plc and dismissing all causes of action against it on the ground that there exists no genuine issue of material fact and AWE, plc is

11-cv-6206(L)

**NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

entitled to judgment as a matter of law for the reasons set forth in AWE, plc's accompanying memorandum of law.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Local Rules of the Western District of New York, answering papers, if any, shall be served on or before December 11, 2012.

**PLEASE TAKE FURTHER NOTICE** that AWE, plc intends to file and serve Reply papers.

Dated:           New York, New York  
                  November 13, 2012

**HOLLAND & KNIGHT LLP**

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